

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANK CHESTER BROWN,
a/k/a G.G.W. (a known person)

Defendant.

Criminal No. 11-348 (1) (RHK/LIB)

**PRELIMINARY ORDER
OF FORFEITURE**

Based on the United States' Motion for a Preliminary Order of Forfeiture; on the Plea Agreement entered into between the United States and Defendant Frank Chester Brown; on the Court having found that certain property is subject to forfeiture pursuant to 18 U.S.C. §§ 982(a)(6)(A) and 924(d); and on the Court's determination that, based on the Plea Agreement entered into by the Defendant and based on all of the files and records of this proceeding, the government has established the requisite nexus between such property and the offense to which the Defendant has pleaded guilty,

IT IS ORDERED that:

1. the Motion of the United States for a Preliminary Order of Forfeiture (Doc. No. 49) is **GRANTED**;
2. the following property is forfeited to the United States pursuant to 18 U.S.C. §§ 982(a)(6)(A) and 924(d):
 - a. One Polytechnologies Rifle, Model Aks, Serial #: PS87-762-1142;

- b. One 35 caliber Remington Arms Company, Inc., Rifle, Model: 7400, Serial #: B8131614;
- c. One Ruger Rifle, Model: 1, Serial #: 133-36575;
- d. One 12 caliber Benelli, S. Pa. Shotgun, Model: M1014, Serial #: Tm06138;
- e. One Winchester Rifle, Model: 70, Serial #: G2414034;
- f. One Savage Rifle, Model: 110, Serial #: F319079;
- g. One Winchester, Shotgun, Model: 120, Cal: 12, Serial #: L1358641;
- h. One Winchester, Rifle, Model: 54, Serial #: 30758;
- i. One Winchester, Rifle, Model: 1906, Serial #: 842517;
- j. One Mossberg Shotgun, Model: 500a, Serial #: L506630;
- k. One Bernardelli, Vincenzo Pistol, Model: 80, Serial #: 07871;
- l. One Unknown Manufacturer Machine Gun, Model: Ar15 Auto Sear, with no serial number;
- m. \$2,000 currently in the possession of Mid-Central Equipment in Henning, Minnesota, due and owing to Defendant constituting the proceeds of a 2009 car hauler trailer that Defendant consigned to Mid-Central Equipment;
- n. \$1,300 in United States Currency seized on or about November 30, 2011 from the Sentry Model 1100 portable lock box;
- o. \$49.75 in assorted coins seized on or about November 30, 2011 from the Sentry Model 1100 portable lock box; and
- p. The 2010 Harley Davidson Softail Motorcycle, VIN #: 1HD1PY915AB955732;

3. the Attorney General or his authorized designee may seize the foregoing property and maintain custody and control of the property pending the entry of a Final Order of Forfeiture;

4. the United States shall, pursuant to 21 U.S.C. § 853(n)(1), as incorporated by 28 U.S.C. § 2461(c) publish and give notice of this Order and its intent to dispose of the foregoing property in such manner as the Attorney General may direct;

5. pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order of Forfeiture shall become final as to the Defendant at the time of sentencing, and shall be made a part of the sentence and included in the judgment;

6. following the Court's disposition of all petitions filed pursuant to 21 U.S.C. § 853(n)(2) or, if no petitions are filed, following the expiration of the time period specified within which to file such petitions, the United States shall have clear title to the foregoing property and may warrant good title to any subsequent purchaser or transferee; and

7. this Court shall retain jurisdiction to enforce this Order, and to amend it as necessary pursuant to Fed. R. Crim. P. 32.2(e).

Dated: April 2, 2012

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge